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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,249	01/22/2002	Olli Immonen	4208-4034US2	8865

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MORGAN & FINNEGAN, L.L.P.
3 WORLD FINANCIAL CENTER
NEW YORK, NY 10281-2101

EXAMINER

SIMITOSKI, MICHAEL J

ART UNIT PAPER NUMBER

2134

DATE MAILED: 03/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/051,249

Applicant(s)

IMMONEN ET AL.

Examiner

Michael J. Simitoski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30, 33, 34, 43-46, 49 and 50 is/are rejected.
- 7) ☒ Claim(s) 31, 32, 35-42, 47, 48 and 51-58 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>IDS of 12/7/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The response and IDS of 12/7/2005 was received and considered.
2. Claims 1-58 are pending.

Response to Arguments

3. Applicant's arguments with respect to claims 1-30, 33-34, 43-46 & 49-50 have been considered and are persuasive. However, in light of Applicant's amendments to the claims, rejections under 35 U.S.C. §112 rejections have been applied.

Claim Objections

4. Claim 18 is objected to because of the following informalities: "The method of secure ticketing ..." should be replaced with "A method of secure ticketing ...".
5. Claim 47 is objected to because of the following informalities: The claim must end with a period.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
7. Claims 1-30, 33-34, 43-46 & 49-50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Regarding claims 1, 18 & 27-28, it is unclear whether “create ... at least one counter” and “creating at counter” refers to the same counter.

Regarding claims 1, 18 & 27-28, it is unclear as to which counter “the counter” (last line of amendment) is referring.

Regarding claims 2-3, it is unclear as to which counter “said counter” (line 1) is referring.

Regarding claim 4, it is unclear as to which counter the limitations “the counter value” and “the counter” (line 2) are referring.

Regarding claim 5, it is unclear as to which counter the limitation “the counter value” (line 1) is referring.

Regarding claim 18, the limitation “said mobile equipment” (line 5) lacks proper antecedent basis.

Regarding claim 18, it is unclear whether the limitation “updating a counter value” refers to one of the previous recitations of “counter” or an additional counter and further it is unclear if the limitation refers to the same “counter value” as previously recited in the claim.

Regarding claim 19, it is unclear as to which counter the limitations “the counter value” and “the counter” (line 2) are referring.

Regarding claim 20, it is unclear as to which counter the limitation “the counter value” (line 1) is referring.

Regarding claim 27, the limitation “said mobile equipment” (line 6) lacks proper antecedent basis.

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Regarding claim 18, it is unclear whether the limitation “updating a counter value” (p. 8, line 7) refers to one of the previous recitations of “counter” or an additional counter and further it is unclear if the limitation refers to the same “counter value” as previously recited in the claim.

Regarding claims 43-44, it is unclear if the numerous recitations of “a counter” are referring to the same counter.

Allowable Subject Matter

8. Claims 31-32, 35-42, 47-48 & 51-58 are allowed.

9. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 31 & 47, the prior art relied upon fails to teach or suggest sending from the mobile equipment to the third party device a newly created counter ID received from the security element, in combination with the other elements of the claim.

Regarding claim 32, the prior art relied upon fails to teach or suggest the third party creating at least one ticket by forming a signature on authenticator data consisting of the received counter ID, said public key of the third party, a number representing the number of allowed uses for the ticket and additional information, in combination with the other elements of the claim.

Regarding claims 35 and 42, the prior art relied upon fails to teach or suggest a counter having a message authentication key, where the security element generates an authorization token being a message authentication code computer by using the message authentication key stored in the counter, in combination with the other elements of the claim.

Regarding claim 48, the prior art relied upon fails to teach or suggest the third party creating at least one ticket by forming a signature on authenticator data consisting of the received

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counter ID, said public key of the third party, a number representing the number of allowed uses for the ticket and additional information, in combination with the other elements of the claim.

Regarding claims 51 & 58, the prior art relied upon fails to teach or suggest the security element generating an authorization token being a signature on authenticator data comprising the said counter ID, current value of the counter, and the public key of the security element, in combination with the other elements of the claim.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Simitoski whose telephone number is (571) 272-3841.

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The examiner can normally be reached on Monday - Thursday, 6:45 a.m. - 4:15 p.m.. The examiner can also be reached on alternate Fridays from 6:45 a.m. - 3:15 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached at (571) 272-3838.

Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:


(571) 273-8300
(for formal communications intended for entry)

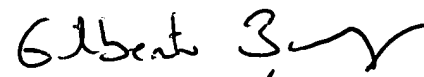
Or:

(571) 273-3841 (Examiner's fax, for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MJS
February 16, 2006


GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100